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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES*

(covering its work during 1994)

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CHAPTER X

TOKELAU**

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* This document contains chapter X of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/49/23 (Part I). Other chapters of the report will be issued under the symbol A/49/23 (Parts II-VI and VIII). The complete report will be issued subsequently as Official Records of the General Assembly, Forty-ninth Session, Supplement No. 23 (A/49/23).

** See also A/49/23 (Part VI).

CHAPTER X

TOKELAU

A. Consideration by the Special Committee

1. At its 1429th meeting, on 15 February 1994, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1811), the Special Committee decided, inter alia, to allocate the question of Tokelau for consideration by the Subcommittee on Small Territories, Petitions, Information and Assistance.
2. The Special Committee considered the question of Tokelau as a separate item at its 1429th to 1431st and 1440th meetings, between 15 February and 15 September 1994. It also considered the question within the context of the 13 Territories at its plenary meetings (see A/49/23 (Part VI)).
3. At the 1429th meeting, on 15 February, in accordance with a decision taken by the Special Committee at its 1417th meeting, on 12 July 1993, to accept the invitation extended by the Government of New Zealand, the administering Power concerned, to send a visiting mission to Tokelau in 1994 (A/AC.109/1162), the Chairman informed the Committee that he would consult with the delegation of New Zealand on the modalities of the visiting mission and report thereon to the Committee (A/AC.109/PV.1429).
4. At the 1430th meeting, on 12 April, the Chairman made a statement with respect to the visiting mission (A/AC.109/PV.1430).
5. At the 1431st meeting, on 11 July, the Acting Chairman, following consultations with the regional groups, appointed the delegations of Chile, Papua New Guinea, Sierra Leone and Tunisia as members of the United Nations Visiting Mission to Tokelau, 1994. Subsequently, the delegations concerned designated the following representatives to serve on the Visiting Mission: Mr. Amor Ardhaoui (Tunisia) (Chairman of the Visiting Mission), Ms. Cecilia Mackenna (Chile), Mr. Utula Utuoc Samana (Papua New Guinea), and Mr. Andrew Bangali (Sierra Leone).
6. At the 1440th meeting, on 15 September, the Chairman drew attention to the report of the Visiting Mission (A/AC.109/2009) as well as to a draft resolution on the item (A/AC.109/L.1825), submitted by the Chairman of the Visiting Mission.
7. At the same meeting, the representative of Tunisia, in his capacity as Chairman of the Visiting Mission, made a statement (A/AC.109/PV.1440) introducing the report of the United Nations Visiting Mission to Tokelau, 1994 (A/AC.109/2009).
8. Also at the 1440th meeting, statements were made by the representatives of Papua New Guinea, Sierra Leone, Fiji, Chile, the United Republic of Tanzania, Grenada and the Syrian Arab Republic (A/AC.109/PV.1440).
9. The Chairman of the Visiting Mission as well as the representatives of Papua New Guinea and Sierra Leone replied to questions put to the members of the Visiting Mission by the representative of Mali.

10. At the same meeting, the representative of New Zealand, the administering Power concerned, made a statement (A/AC.109/PV.1440).

11. Also at the 1440th meeting, the Chairman of the Visiting Mission introduced draft resolution A/AC.109/L.1825.

12. In the ensuing exchange of views in which the representatives of Grenada, Sierra Leone, Cuba, Trinidad and Tobago, India and Mali, as well as the Chairman of the Visiting Mission and the Acting Chairman participated, the following amendments to draft resolution A/AC.109/L.1825 were proposed:

(a) Operative paragraph 3, which read:

"3. Recognizes with appreciation that for the first time Tokelau came together as one people and nation to speak to the United Nations Visiting Mission, in order to address the question of Tokelau's act of self-determination;"

would be moved to the preambular section of the draft resolution as the new fourth preambular paragraph;

(b) Operative paragraphs 4 to 9 would be renumbered as operative paragraphs 3 to 8;

(c) In the new fourth preambular paragraph, the words "Recognizes with appreciation" would be replaced by "Taking note with appreciation". The paragraph would read as follows:

"Taking note with appreciation that for the first time Tokelau came together as one people and nation to speak to the United Nations Visiting Mission, in order to address the question of Tokelau's act of self-determination,"

(d) New operative paragraph 7 (previous operative paragraph 8), would read:

"8. Approves the report of the United Nations Visiting Mission to Tokelau, 1994, and endorses the observations, conclusions and recommendations contained therein; 1/"

would be replaced by:

"7. Approves the report of the United Nations Visiting Mission to Tokelau, 1994; 1/".

13. At the same meeting, the Special Committee approved the above amendments and adopted draft resolution A/AC.109/L.1825 as orally amended (A/AC.109/2010). The Acting Chairman made a statement (A/AC.109/PV.1440).

B. Decision of the Special Committee

14. The text of the resolution (A/AC.109/2010), adopted by the Special Committee at its 1440th meeting, on 15 September 1994 (see para. 12), appears under section C in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

15. In accordance with decisions taken at its 1429th and 1434th meetings, on 15 February and 12 July 1994, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the question of Tokelau, 2/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Cognizant of the three options on future status for Non-Self-Governing Territories contained in Principle VI of the annex of resolution 1541 (XV) of 15 December 1960,

Taking note with appreciation that for the first time Tokelau came together as one people and nation to speak to the United Nations Visiting Mission, in order to address the question of Tokelau's act of self-determination,

Aware of the special problems facing Tokelau by virtue of its isolation, small size, limited resources and lack of infrastructure,

Reiterating the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Tokelau,

Having examined the report of the United Nations Visiting Mission to Tokelau, 1994, dispatched in July at the invitation of the Government of New Zealand and of the General Fono (Council) of Tokelau, 1/

[Having heard the statement of the representative of New Zealand, the administering Power,]

Noting with satisfaction the continuing exemplary cooperation of the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

1. Reaffirms the inalienable right of the people of Tokelau to self-determination and independence in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV);

2. Expresses its deep appreciation to the Ulu-o-Tokelau (highest authority of Tokelau), the Elders of Tokelau, the Council of Faipule (joint chairmen of the General Fono), the pulenuku (village mayors) and all other representatives of the people of Tokelau, as well as the administering Power, for the courtesies, cooperation and assistance extended to the Visiting Mission;

3. Takes note of the solemn declaration read by the Ulu-o-Tokelau, on behalf of the people and their leadership, indicating a strong preference for a future status of free association with New Zealand;

4. Notes that the people of Tokelau, through the General Fono, the Council of Faipule and other institutions, expressed their readiness to assume full governmental responsibility and to conduct their own affairs within the framework of a constitution which is currently being drafted;

5. Takes note of the determination of the people of Tokelau to exercise their right to self-determination following the establishment and effective functioning of all branches of government in accordance with their own constitution;

6. Welcomes the assurances of the Government of New Zealand to meet its obligation to the United Nations with respect to Tokelau and to abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

7. Approves the report of the United Nations Visiting Mission to Tokelau, 1994; 1/

8. Requests the Special Committee to continue to examine this question and to report thereon to the General Assembly at its fiftieth session.

Notes

1/ A/AC.109/2009.

2/ The present chapter.
